

GEORGIA, Murray County

MINUTES

The Murray County Commissioner held a public meeting Tuesday, December 4, 2012 at 9:00 a.m. in the hearing room of the Murray County Courthouse Annex.

Commissioner Hogan called the meeting to order and welcomed those in attendance.

By signature and execution the minutes of November, 2012 were approved.

With no additions or deletions to the agenda, Commissioner Hogan adopted the agenda as presented.

Under new business the following items were addressed and approved.

- A. Approved Murray County Land Use Development Planning
Commission Minutes Dated November 20, 2012

The meeting was called to order by Chairman Steve Anglea

First order of business was approval of the agenda. Motion to approve the agenda made by David McDaniel, 2nd by Larry Morrison, all in favor, none opposed, motion carried. Motion to approve the minutes by Edward Dunn, 2nd by Larry Morrison, all in favor, none opposed, motion carried.

No Old Business

New Business: Chairman Anglea read the rules of order and opened the public portion of the meeting.

Item 1. Conditional use of property owned by Michael Bohannon located in land lot 262 district 9 of Murray County, known as 2510 Leonard Bridge Road and being 16.32 acres. Dick Barnes stated this property had originally been used for farm animals and his office doesn't have an issue with the request as long as Mr. Bohannon stays within the guide lines for such animals. Nancy Young said all notices had been sent to adjacent property owners. Mr. Bohannon was present for the meeting and stated he wanted to be able to put horses and possible cattle on his property. Jerry Floyd, was present that lived across the street in a subdivision, he said he had no problem with the animals as long as the number of animals was such as it would not cause problems for the surrounding area. No one else present either for or against the request. Public portion of the hearing closed for board discussion. Edward Dunn asked if there would be adequate shelter for the animals. Mr. Bohannon said he had a large barn. Discussion of number of animals, Edward Dunn made a motion to approve the conditional use with a condition that no more

than 12 animals are kept on the property at any one time. This could be any mixture of horses and cows but only 1/3rd can be cows. David McDaniel 2nd the motion, all in favor, none opposed, motion carried.

Item 2. Re-Classification of property from SR to RR, owned by David Keene, in land lot 42 district 9 of Murray County addressed as 393 Allen Road West, being 1 acre. Dick Barnes said the request was in order for granting and that this area was a mix of rural and suburban zones. He recommends approval. Nancy Young said all notices had been sent. Mr. Keene was present for the hearing and stated he would like to put a mobile home on the property. No one present for or against the request. Public portion of the hearing closed for board discussion. Larry Morrison made a motion to approve, 2nd by Edward Dunn, all in favor, none opposed, motion carried.

Item 3. Re-Classification of property from SR to AG, owned by Robert and Lindsey Bearden, addressed 585 Blackwell Road, in land lot 240 district 9 of Murray County, being 19.50 acres. Dick Barnes said this property is boarded by AG properties and he recommends approval. Nancy Young said all notices had been sent to adjacent property owners. Mr. Bearden was present for the meeting, he said this would be a hobby farm; he wants to buy calves in the spring and sell them in the fall. He does not plan to breed cattle at this location. Mildred Lackey was present; she lives in the neighborhood and is concerned about the possibility of him having chickens there. Mr. Bearden assured here he was not going to have chicken houses. The property is not large enough to have commercial business. No one else present either for or against the request. Public portion of the meeting closed for board discussion. David McDaniel made a motion to approve the request, 2nd by Terry Wilson, all in favor, none opposed, motion carried.

Item 4. Re-Classification of property from SR to RR, owned by Sandy and Derinda Fowler, located in land lot 67 district 9 of Murray County and addressed as 1637 Goswick Road. Dick Barnes said this request was in order for hearing and he recommends approval. Nancy Young said all notices had been sent to adjacent property owners. Mr. and Mrs. Fowler was present for the meeting, they stated they wanted to put a mobile home on the property for their son and daughter-in-law. No one present either for or against the request. Public portion of meeting closed for board discussion. David McDaniel made a motion to approve the request, 2nd by Edward Dunn, all in favor, none opposed, motion carried.

Item 5. Re-Classification of property from SR to RR, owned by Mack Belue, located in land lot 197 district 9 of Murray County and addressed as 291 Hensley Road. Dick Barnes said the request was in order for presenting and he recommends approval. Nancy Young said all notices had been sent to adjacent property owners. No one present either for or against the request. Public portion of the meeting closed for board discussion. Edward Dunn made a motion to approve the request 2nd by Larry Morrison, all in favor, none opposed, motion carried.

Edward Dunn made a motion to adjourn, 2nd by Larry Morrison, all in favor, none opposed, motion carried.

**B. Resolution: To Adopt the Amended and Restated ACCG 457(b)
Deferred Compensation Plan**

**GebCorp
An ACCG Company**

**Government Employee
Benefits Corporation
Atlanta, Georgia**

RE: ACCG Defined Contribution Program Plan Documents

This is to provide you with some important information relating to ACCG 457(b) Deferred Compensation Plan, and to inform Murray County of some actions that must be taken in 2012 by Murray County and by GEBCorp in order to keep Murray County's Plans in compliance with federal law. The important step that must happen this year is the County will be required to adopt all new Plan documents by the end of 2012. Drafts of all the documents that must be executed will be sent to Murray County in a separate mailing.

All employers that have adopted the ACCG 457(b) Plan must take part in this process.

New Plan Documents

There are many changes to the 457 (b) Plan documents; most are a result of the numerous federal laws affecting retirement plans that have been passed in recent years, including the Pension Protection Act of 2006 ("PPA"), the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART Act"), and the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA"). The IRS requires that all governmental retirement plans be amended and restated to incorporate these new laws. While most of the changes to the documents will have little impact on the operation of your Plan, we have highlighted several that will be important for Murray County to be Aware of on the following Summary of 457(b) Plan Changes. One major change is that for the first time, each employer will be executing a 457(b) Plan Adoption Agreement, which provides each employer greater flexibility in the design of its Plan.

Administrative Services Agreement

An updated Administrative Services Agreement will also be included with the new 457(b) Plan documents. The Administrative Services Agreement outlines the responsibilities of Murray County, ACCG, and the DC Board of Trustees, for the operation and administration of the Plan(s). The enclosed Summary of the Administration Services Agreement Schedules provides a brief description of each of the Schedules that can be found in the Agreement. Several Schedules included in the Agreement need to be completed and/or signed by Murray County. Each Schedule requiring completion or signature will be marked for your convenience.

Action Items

1. Place the following Resolution for the 457(b) Plan before your Commissioner.
2. Return the executed Resolution to GEBCorp no later than October 26, 2012.

In the coming weeks, GEBCorp will provide you with drafts of all new Plan documents. Upon receipt of the documents, you should:

1. Review the 457(b) Plan Adoption Agreement. This is a new agreement and should be reviewed carefully. This new agreement allows the county greater flexibility in the design of the 457(b) Plan. It has been completed based on the elections we believe most employers are likely to choose. This agreement contains provisions not previously available, such as elections to allow Roth (after-tax) contributions and availability of Automatic Enrollment.
2. Review the Administrative Services Agreement. This agreement has been revised and should be reviewed carefully to ensure the County's understanding of the administration of the Plan. It contains the asset based fees and other fees charged to participants and investments offered to participants by the County. The Agreement also requires the County to update those individuals authorized to sign or speak on behalf of the County regarding the Plan.
3. Return the executed Agreements to GEBCorp no later than November 30, 2012.

**RESOLUTION TO ADOPTED AMENDED AND RESTATED
ACCG 457(b) DEFERRED COMPENSATION PLAN**

WHEREAS, the Murray County Commissioner (the "County") previously adopted the Association County Commissioners of Georgia 457(b) Deferred Compensation Plan for Murray County Employees (the "Plan") through an Adoption Agreement;

WHEREAS, the Association County Commissioners of Georgia ("ACCG") has appointed a Defined Contribution Plan Program Board of Trustees (the "DC Board") pursuant to the ACCG Defined Contribution Plan Program Master Trust Agreement (the "Master Trust"), to oversee Plan administration, Plan documentation and to select investment options for investment of the assets of the Plan;

WHEREAS, ACCG has amended, restated and updated the ACCG 457(b) Deferred Compensation Plan document to reflect changes in federal and state law and regulations (the "2012 457(b) Plan");

WHEREAS, the County desires to adopt the Master Trust and to amend and restate its Plan by adopting the 2012 457(b) Plan through an Adoption Agreement;

WHEREAS, the County desires to delegate to the DC Board the power to amend the 2012 457(b) Plan on behalf of the County in the future, for the limited purpose of adopting non-discretionary Internal Revenue Service required amendments that must be adopted on a timely basis in order to maintain its status as an eligible deferred compensation Plan under the Code.

NOW THEREFORE, at a meeting held on the 4th day of December, 2012, the Murray County Commissioner hereby resolve as follows:

RESOLVED that the Murray County Commissioner hereby approves the adoption of the Master Trust and the 2012 457(b) Plan and accompanying Adoption Agreement as an amendment and restatement of the ACCG 457(b) Deferred Compensation Plan for Murray County Employees.

FURTHER RESOLVED that the Murray County Commissioner hereby delegates to the ACCG DC Board, the power to amend the 2012 457(b) Plan on behalf of Murray County in the future, for the limited purpose of adopting non-discretionary Internal Revenue Service required amendments that must be adopted on a timely basis in order to maintain its status as an eligible deferred compensation Plan under the Code.

FURTHER RESOLVED that the chair is hereby authorized, empowered, and directed to take all further actions and to execute all documents necessary to implement these resolutions, included a limited power of attorney to all ACCG counsel to file all necessary forms with the Internal Revenue Service.

FURTHER RESOLVED that any resolution in conflict with this resolution is hereby repealed.

Summary of 457(b) Plan Changes

The 457(b) Deferred Compensation Plan is adopted by the Employer. The Adoption Agreement allows the Employer to customize the plan to fit its needs. The Adoption Agreement is greatly expanded from the basic documents of the past. Although each section is a “change” from the previous documents, below are areas of the Adoption Agreement to which you should pay particular attention. Review each section in conjunction with the Plan Document to ensure your understanding of the options available.

Please contact GEBCorp if there are any questions, or if the Employer wishes to consider any changes to its 457(b) Adoption Agreement.

Section 2.10, Eligible Employee

- . General, 457(b) plans are available to all elected officials and employees in all employment statuses. The Employer may, however, limit eligibility in this section.
- . Elections to allow Employers more flexibility in defining Eligible Employees.

Section 3.02, Employee Contributions (NEW OPTION)

Roth Contributions are a new addition to the elections available to Plan participants if so elected by the Employer in the Adoption Agreement. Please note that the addition of Roth Contributions will require a payroll slot to be created. – check with your payroll provider. See the Plan Document for more information regarding Roth Contributions. Contact GEBCorp if you need further information.

- . The Employer may allow Participants to make Roth Contributions to the Plan.

Roth Contributions are after-tax contributions.

Roth Contributions are not available for Unforeseeable Emergency Distributions (“Hardships”).

Section 3.03, Automatic Enrollment (NEW OPTION)

If elected, this section will required automatic enrollment into the 457(b) Plan in a specific percentage amount as specified by the Employer.

- . This provision can be elected for either all existing Employees not already enrolled or new hires only – or both.
- . If so elected, Employees shall have the amount specified by Employer deducted (pre-tax deferral) from their paycheck automatically to the 457(b) Plan.
- . Employee Contributions shall be invested in the default fund. Employees may change their investment elections.
- . There is an opt-out provision for the Employee: If the employee elects not to participate (“opts out”) within 30 days, contributions are returned through their paycheck (and taxed) without earnings or losses.
- . If Employee elects not to participate after 30 days, contributions shall not be returned.

Section 3.04, Employer Contributions

Most Employers do not contribute to the 457(b), opting to place Employer Contributions in the 401(a) instead. Employers may, however, contribute to the 457(b). Please contact GEBCorp if there are any questions.

- . Employees are immediately 100% Vested in the Employer Contributions.
- . Employer Contributions are available to the Participant for Unforeseeable Emergency Distributions.
- . Employer Contributions shall apply toward Maximum Deferral Limitation; therefore, the amount an Employee may contribute to the Plan would be reduced by the amount the Employer contributes.
- . Employer Contributions are reportable as income for purposes of Social Security and Medicare.

Section 7.03, Participant Direction of Investments

- . Current provisions allow for all plan participants to determine how their funds are invested within the investment options selected by the Employer. The Employer must elect Participant or Employer direction of investments for all or certain contribution types.
- . Self-Directed Brokerage, if chosen as an investment option in the Administrative Services Agreement, may be set up for all or certain contribution types.

Summary of Administrative Services Agreement Schedules

The purpose of the Administrative Services Agreement is to detail the services and obligations of ACCG, GEBCorp, the Defined Contribution Plan Program Board of Trustees, and the Employer. The Agreement and the Schedules described below require approval by the Commissioner and signature by the Commissioner.

Schedule A – ACCG Recordkeeping Services

Describes the services which ACCG will provide to the Employer for the

administration of the 401(a) and 457(b) Plans.

Schedule B – Fee Schedule

Shows the asset based fee schedule, as well as other miscellaneous fees, for the administration of the Plan. Plan assets will be reviewed annually to determine the appropriate fee schedule for the upcoming plan year. Fees will be deducted from participant accounts on a quarterly basis.

Schedule C – Automated Telephone and Electronic Communication System Guidelines

Describes the procedures for interactive telephone and electronic communication systems available to plan participants.

Schedule D – DC Board of Trustees Services

Describes the services that the DC Board as Trustee has agreed to provide the Employer for the administration of the 40(a) and 457 (b) Plans.

Schedule D-1-Investment Options

Lists the investment options which have been approved by the DC Board to be offered under the 401(a) and 457(b) Plans.

Schedule D-2-Investment Option Elections

Allows the Employer to select which of the available investment options will be offered by the 401(a) and 457(b) Plans. The investment options previously authorized by the County are selected for approval. The County can change these options; please contact GEBCorp if you wish to consider changing current investment options.

Schedule E-Employer and Participant Responsibilities

Describes the responsibilities of the Employer and Participant for the administration of the 401(a) and 457(b) Plans.

Schedule F-Designation of Authorized Individuals

The Employer designates the individual(s) who are authorized to provide direction upon which ACCG may take action for the 401(a) and 457(b) Plans. These include those with signature approval for changes to the plan as well as those who are considered the ‘authorized signature’ for participant actions such as enrollments and distributions.

Schedule G-Unforeseeable Emergencies Approval

The Employer elects the responsible party (ACCG or the Employer) for approving unforeseeable emergency requests by Participants under the 457(b) Plan.

Generally, Employers elect to give this responsibility to GEBCorp; however, if the Employer takes this responsibility for review and approval, it must also take responsibility for understanding of and application of IRS regulations governing these requests.

**C . Memorandum of Understanding: Between Murray County and
Murray County Developmental Center Re-Transportation of MCDC
Clients**

**MEMORANDUM OF UNDERSTANDING
MURRAY COUNTY
AND
MURRAY COUNTY DEVELOPMENTAL CENTER**

JANUARY 01, 2013-DECEMBER 31, 2013

This memorandum of understanding is made and entered into January 01, 2013 by and between MURRAY COUNTY COMMISSIONER and the MURRAY COUNTY DEVELOPMENTAL CENTER.

Under this agreement, Murray Transit, an entity of Murray County Government, will provide transportation services to clients of the Murray County Developmental Center. These services will include to and from the center to the client's home. Murray Transit cannot exceed allocated trips provided by Georgia Department of Human Services. Murray Transit will maintain mandated training and insurance coverage requirements, under the guidelines provided by the Georgia Department of transportation and the Georgia Department of Human Services. Murray Transit will not transfer rights or obligations under this agreement to another entity without the prior written approval of the Murray County Developmental Center.

Murray County Developmental Center will transport their consumers for outreach or employment, using DHS vehicles. Murray County Developmental Center will be reimbursed at the current DHS rate minus \$0.25 (current trip fee less \$0.25 per trip to offset administrative costs for Murray County Transit). The DHS Regional Transportation Office will monitor trip use and service quality under this subcontract and will coordinate billing details between the Murray County Developmental Center and Murray County Transit.

Trips will be documented, per DHS requirements, by the Murray County Developmental Center and submitted to Murray County Transit by the 4th of each month for prior month's trips. Invoices will be submitted to:

**Murray County Transit
Attn: Joan Dooley
PO Box 1129
Chatsworth, Georgia 30705**

Invoices may be faxed to Murray County Transit at (706) 517-8891

The Murray County Developmental Center will be reimbursed monthly by Murray County.

This agreement may be terminated by either party with a minimum of sixty (60) days prior notice, via certified mail, to the other party at its published mailing address.

D. Appointment: Michael Sanford to the Murray-Whitfield Joint Development Authority

	Term	Date Appointed
Mr. Michael Sanford	Dec 4, 2012 – Jan 31, 2015	Dec 4, 2012

E. Appointment: Maurice Coulter to the Murray-Whitfield Joint Development Authority

	Term	Date Appointed
Mr. Maurice Coulter	Dec 4, 2012 – Jan 31, 2014	Dec 4, 2012

F. Appointment: Tony Young to the Murray-Whitfield Joint Development Authority

	Term	Date Appointed
Mr. Tony Young	Dec 4, 2012 – Jan 31, 2013	Dec 4, 2012

Documents are located in the auxiliary file.

ADJOURNMENT:

This 4th day of December 2012

ATTEST:

Tommy Parker, Interim County Clerk

Greg Hogan, Commissioner

In Attendance: Tommy Parker, Greg Hogan, Dana Burch, Matt Sanford, Edward Dunn, Sandi Adams, Steve Anglea, Carl Campbell, David Keene, Bill Keene, Diane Davis, Bill Orr, Brian McDaniel